



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700

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In re application of :
Mark Rutenberg et al : DECISION ON
Serial No. 09/922,013 : PETITION
Filed: August 03, 2001 :
For: DETECTION OF EPITHELIAL DYSPLASIA :

This is a response to the PETITION filed November 10, 2003. The petition requests that the abandonment, as set forth in the Notice of Abandonment of October 30, 2003, for failure to timely file a proper response to the Office letter dated April 08, 2003 be withdrawn. The petitioner asserts that applicants timely filed a proper response to the Office letter of April 08, 2003 on October 08, 2003 together with the Petition for Extension of Time.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicants did in fact reply to the Office letter of April 08, 2003 in a timely manner. The submitted evidence are copies of the following documents :

(1) Amendment in response to the Office letter of April 08, 2003; (2) Petition for Extension of Time with three months; (3) Fax confirmation report dated October 08, 2003 ; and (3) Certificate of Transmission by Facsimile for the Amendment and Petition for Extension of Time dated October 08, 2003.

Therefore, the abandonment is hereby withdrawn, and the application is returned to pending status. The application shall be forwarded to the Technical Support Staff



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for entering of the Response/Amendment and the Petition of Extension of Time,
and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED**.

A handwritten signature in cursive script, appearing to read "J. Stone", is positioned above the printed name of the Director.

Jacqueline Stone, Director
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